

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
GREENVILLE DIVISION**

**SAHEED DAVIS**

**PLAINTIFF**

**V.**

**NO. 4:15-CV-00099-DMB-DAS**

**TIMOTHY J. MORRIS, Warden;  
JO BOBO, Investigator, CID; PAMELA  
C. ROBINSON, Director of Offender  
Services; and PAUL MADUBUONWU,  
Medical Director**

**DEFENDANTS**

**ORDER OF DISMISSAL**

On October 2, 2015, United States Magistrate Judge David A. Sanders issued a Report and Recommendation (“R&R”) recommending that Plaintiff Saheed Davis’ “complaint be dismissed as frivolous and for failure to state a claim.” Doc. #12 at 5. The R&R warned that a failure “to file written objections to [the R&R] within [14] days after being served with a copy shall bar that party, except on grounds of plain error, from attacking on appeal the unobjected-to proposed factual findings and legal conclusions accepted by the district court.” *Id.* at 5–6.

Davis acknowledged receipt of the R&R on October 15, 2015. Doc. #14. As of this date, Davis has not filed written objections to the R&R. Accordingly, this Court’s review of the R&R is limited to plain error. *See Molina–Uribe v. U.S.*, No. B:97–97, 2009 WL 3535498, at \*15 (S.D. Tex. Sep. 10, 2009) (“In the absence of plain error, a party’s failure to object timely to a Magistrate Judge’s Report and Recommendation waives any right to further judicial review of that decision.”) (citing *Douglass v. United Servs. Auto. Ass’n*, 79 F.3d 1415, 1428–29 (5th Cir. 1997)).

The Court has reviewed the R&R and found no plain error. Accordingly:

1. The R&R is **APPROVED and ADOPTED** as the opinion of the Court; and

2. This matter is **DISMISSED** with prejudice as frivolous and for failure to state a claim upon which relief may be granted, counting as a strike under 28 U.S.C. §§ 1915(e)(2)(B) and 1915(g).

**SO ORDERED**, this 27th day of January, 2016.

/s/ Debra M. Brown  
**UNITED STATES DISTRICT JUDGE**